

U.S. District Court
Northern District of Georgia (Atlanta)
CIVIL DOCKET FOR CASE #: 1:18-cv-04763-LMM

Southern Environmental Law Center v. Federal Aviation
Administration
Assigned to: Judge Leigh Martin May
Cause: 05:0552 Freedom of Information Act

Date Filed: 10/15/2018
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Southern Environmental Law Center

represented by **Brian Lawrence Gist**
Southern Environmental Law Center
Suite 1050
Ten 10th St., N.W.
Atlanta, GA 30309
404-521-9900
Fax: 404-521-9909
Email: bgist@selcga.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert D. Sherrier
Southern Environmental Law Center
Suite 1050
Ten 10th St., N.W.
Atlanta, GA 30309
404-521-9900
Email: bsherrier@selcga.org
ATTORNEY TO BE NOTICED

V.

Defendant

Federal Aviation Administration

represented by **Samuel Williams**
Office of the United States
Attorney-ATL600
Northern District of Georgia
600 United States Courthouse
75 Ted Turner Dr., S.W.
Atlanta, GA 30303
404-581-6228
Email: samuel.williams2@usdoj.gov
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/15/2018	<u>1</u>	COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF filed by Southern Environmental Law Center. (Filing fee \$400, receipt number 113E-8206568) (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Civil Cover Sheet)(bdb) Please visit our website at http://www.gand.uscourts.gov/commonly-used-forms to obtain Pretrial Instructions and Pretrial Associated Forms which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 10/16/2018)
10/15/2018	<u>2</u>	Electronic Summons Issued as to Federal Aviation Administration. (bdb) (Entered: 10/16/2018)
10/16/2018	<u>3</u>	Certificate of Interested Persons by Southern Environmental Law Center. (Gist, Brian) (Entered: 10/16/2018)

10/22/2018	<u>4</u>	ORDER REASSIGNING CASE. Case reassigned to Judge Leigh Martin May for all further proceedings. Judge Charles A. Pannell, Jr. no longer assigned to case. NOTICE TO ALL COUNSEL OF RECORD: The Judge designation in the civil action number assigned to this case has been changed to 1:18-cv-04763-LMM. Please make note of this change in order to facilitate the docketing of pleadings in this case. Signed by Judge Charles A. Pannell, Jr. on 10/22/2018. (tcc) (Entered: 10/22/2018)
10/25/2018	<u>5</u>	STANDING ORDER REGARDING CIVIL LITIGATION. Signed by Judge Leigh Martin May on 10/25/2018. (btql) (Entered: 10/25/2018)
11/19/2018	<u>6</u>	Unopposed MOTION for Extension of Time to File Answer with Brief In Support by Federal Aviation Administration. (Attachments: # <u>1</u> Brief, # <u>2</u> Text of Proposed Order)(Williams, Samuel) (Entered: 11/19/2018)
11/19/2018	<u>7</u>	ORDER GRANTING <u>6</u> Motion for Extension of Time to Answer re <u>1</u> Complaint. Federal Aviation Administration's Answer due 12/21/2018. Signed by Judge Leigh Martin May on 11/19/2018. (btql) (Entered: 11/19/2018)
12/10/2018	<u>8</u>	AFFIDAVIT of Service for Complaint and Summons , as to Defendant Federal Aviation Administration. (Attachments: # <u>1</u> Exhibit A, FAA Packet Tracking, # <u>2</u> Exhibit B, Pak Packet Tracking, # <u>3</u> Exhibit C, Sessions Packet Tracking)(Gist, Brian) (Entered: 12/10/2018)
12/21/2018	<u>9</u>	<i>Defendant's</i> ANSWER to <u>1</u> COMPLAINT by Federal Aviation Administration. Discovery ends on 5/20/2019.(Williams, Samuel) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. (Entered: 12/21/2018)
12/26/2018	<u>10</u>	Administrative Order Staying Civil Proceedings in Light of Lapse Appropriations. Signed by Chief Judge Thomas W. Thrash, Jr. on 12/26/18. (btql) (Entered: 12/27/2018)
01/28/2019		MINUTE ORDER LIFTING STAY due to appropriations. Approved by Judge Leigh Martin May on 1/28/2019.(rvb) (Entered: 01/28/2019)
03/08/2019	<u>11</u>	ORDER: Counsel are hereby ORDERED to file the Joint Preliminary Report andDiscovery Plan required by Local Rule 16.2 within 14 days of entry of this Order, or SHOW CAUSE why this case should not be dismissed pursuant to LR 41.3. Signed by Judge Leigh Martin May on 3/8/2019. (btql) (Entered: 03/08/2019)
03/08/2019	<u>12</u>	Joint MOTION for scheduling order by Federal Aviation Administration. (Attachments: # <u>1</u> Text of Proposed Order)(Williams, Samuel) (Entered: 03/08/2019)
03/11/2019	<u>13</u>	ORDER GRANTING <u>12</u> Motion for Scheduling Order. See Order for more details. Signed by Judge Leigh Martin May on 3/8/2019. (btql) (Entered: 03/11/2019)
05/14/2019	<u>14</u>	NOTICE by Federal Aviation Administration (Attachments: # <u>1</u> Exhibit Certified Administrative Record Index)(Williams, Samuel) (Entered: 05/14/2019)
06/17/2019	<u>15</u>	Joint MOTION for Modification of <u>13</u> Scheduling Order by Federal Aviation Administration. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Williams, Samuel) Modified on 6/18/2019 to edit text (tmf). (Entered: 06/17/2019)
06/19/2019	<u>16</u>	ORDER granting <u>15</u> Motion for Modification of <u>13</u> Scheduling Order: No later than July 19, 2019, SELC shall file and serve a motion for summary judgment and memorandum of law in support. No later than August 9, 2019, FAA shall file and serve a combined cross-motion for summary judgment and responsive memorandum of law. No later than August 26, 2019, SELC may file a combined reply brief in support of its motion for summary judgment and memorandum in response to FAA cross-motion for summary judgment. FAA may file a reply brief in support of its cross-motion for summary judgment no later than September 9, 2019. Signed by Judge Leigh Martin May on 6/18/2019. (tmf) (Entered: 06/19/2019)
07/17/2019	<u>17</u>	NOTICE of Appearance by Robert D. Sherrier on behalf of Southern Environmental Law Center (Sherrier, Robert) (Entered: 07/17/2019)
07/19/2019	<u>18</u>	First MOTION for Summary Judgment with Brief In Support by Southern Environmental Law Center. (Attachments: # <u>1</u> Brief in Support of Summary Judgment, # <u>2</u> Statement of Material Facts Statement of Undisputed Facts, # <u>3</u>

Appendix Appendix, # 4 Exhibit Ex. A – Draft Environmental Impact Statement: Executive Summary, # 5 Exhibit Ex. B – No Responsive Documents Letter, # 6 Exhibit Ex. C – First Declaration of Michael J. McElligott, # 7 Exhibit Ex. D – First FAA Vaughn Index, # 8 Exhibit Ex. E – Notice of Disputes Letter to FAA, # 9 Exhibit Ex. F – 20161221_DL_SCC Final DOPAA, # 10 Exhibit Ex. G Waiver Emails, # 11 Exhibit Ex. H National Parks Service Comments on DEIS, # 12 Exhibit Ex. I Search Emails, # 13 Exhibit Ex. J Authorized Personnel Provided by Applicant, # 14 Exhibit Ex. K June 2019 Letter from FAA to Camden County)(Gist, Brian) ---Please refer to <http://www.gand.uscourts.gov> to obtain the Notice to Respond to Summary Judgment Motion form contained on the Court's website.--- (Entered: 07/19/2019)